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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Greenberg, et al.

Art Unit:

3766

Application No.:

10/820,240

Examiner:

J.L. Reidel

Filed:

April 6, 2004

Confirmation No.: 7467

Docket No.:

S293-USA

Customer No.:

P. O. Box 1450

Commissioner for Patents

Alexandria VA 22313-1450

28284

For:

Retinal Prosthesis with Side Mounted Inductive Coil

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (Patent Central FAX Number (571) 273-8300)

On April 5, 2007

Dear Sir:

In response to the Notice of Allowability mailed January 16, 2007, Item 1, enclosed is a newly executed Declaration respectfully submitted. The Declaration is executed by all of the inventors:

> Robert J. Greenberg Da-Yu Chang Rajat Agrawal Brian V. Mech Mark S. Humayun James Singleton Little Kevin Wilkin

Applicants submit that the enclosed declaration replaces the declaration filed October 16, 2006. The declaration filed October 16, 2006 was not signed by the inventors Rajat Agrawal and Mark S. Humayun, who signed the original Declaration filed April 6, 2004.

It has been found that the Declaration as filed on October 16, 2006, through error and without deceptive intent, improperly set forth the inventorship, and accordingly, this

Application No. 10/820,240

application has been corrected by submitting the appropriate Declaration. The application is now in compliance with 37 CFR 1.48(a).

Regarding Item 2 of the Notice of Allowability, Applicants agree with Examiner's amendment in claims 10, 15, 36, 41, 44 and 45.

The patent application is now in condition of issuance with claims 10, 15, 36, 41-42 and 44-45.

Respectfully submitted,

April 5, 2007

Tomas Lendvai, Ph.D. Reg. No. 57,488 Second Sight Medical Products, Inc. 12744 San Fernando Road, Building 3 Sylmar CA 91342

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Attorney Docket

DECLARATION FOR UTILITY			S293-USA	•			
DESIGN	First Na	med Inventor	Greenberg, et al.				
PATENT APPLICATION		COMPLETE IF KNOWN					
(37 CFR 1.63)	Applicat	ion Number	10/820,240				
Declaration Submitted OR Submitted S		ate	April 6, 2004				
With Initial Filing (surch	narge Art Unit		3766				
Filing (37 ČFR 1. required)	Examine	er Name	Jessica L. Reidel				
I hereby declare that: Each inventor's residence, mailing address, and	citizenship are as stated	below next to the	ir name.				
I believe the inventor(s) named below to be the o which a patent is sought on the invention entitled	riginal and first inventor(s) of the subject m	natter which is claim	ned and for			
RETINAL PROSTHESIS WITH SIDE	MOUNTED INDU	ICTIVE COIL		7			
·	•						
	(Title of the Invention	3)					
the specification of which	·	,					
is attached hereto							
OR							
	i 6, 2004 as Ur	ited States Applic	ation Number or PC	CT International			
Application Number 10/820,240 and	d was amended on (MM	מאיאססי	2/1/06; 4/19/06 a	11/6/06 (if applicable).			
I hereby state that I have reviewed and understan amended by any amendment specifically referred	d the contents of the ab- to above.	ove identified spec	cification, including	the claims, as			
I acknowledge the duty to disclose information continuation-in-part applications, material information and the national or PCT international filing date of	ition which became avaithe continuation-in-part	itable between the application.	e filing date of the p	prior application			
hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.							
Prior Foreign Application Number(s) Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed		ppy Attached?			
Additional foreign application numbers ar		tal priority data sh	eet-PTO/SB/02B-et	tached hereto.			
	[Page 1 of 2]						

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Given Name (first and others J.	middle (if any])			:	Family Nam	ne or Sur	nan	ne
number's Signature	Poly	A las &	V -	-/)	Greenberg, M	1.D., Ph.D		Date 3/5/07
Residence: City as Angeles	Residence: City State Country Citizenship								
failing Address 131 Wild Oak Drive									
City as Angeles		State California			Zip 9006	8			Country SA
Additional Inventors or	a legal re	presentative are being	named on ti	ne 2	suppleme	ntal sheet(s) PT	O/SB/02A	or D2	ILR attached hereto.

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DECLARATION		ADDITION Supplement	NAL INVENTO tal Sheet	R(S)	Page 2	of ²		
Name of Additional Joint Inventor, if an	ıy:	A petit	A petition has been filed for this unsigned inventor					
Given Name (first and middle (if any	0)	Family Name	e or Sumame					
Da-Yu		Chang						
Inventor's Ra-Yn Change					>007/03/ Date	1.6		
Rowland Heights Residence: City	California State		JSA Country		alwan Citizenship			
18559 E. Stonegate Lane Mailing Address								
Rowland Heights	California		91748	u	ISA			
City	State		Zip		Country			
Name of Additional Joint Inventor, if an	у:	A petiti	lon has been filed	for this unsi	gned inventor			
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Rajat		Agrewal						
Inventor's Signature					Date			
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Residence: City 77 Price Street, Unit D	State		Country		Citizens	hrp		
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Redlands	California		92373	US	SA			
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Brian V.	1	Mech, Ph.D.						
Inventor's Signature				Д	ate			
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DECLARATION			NAL ntai S	- INVENTOR(S)	Pa	gp 2	_ of 2
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Given Name (first and middle (if any)	Family Name or Surmame Chang						
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Rajat	Agrawal						
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Given Name (first and middle (if any))		Family Name or Surname					
Brian V.	Mech, Ph.D.						
Inventor's Signature					Date		
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DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet Page 2 of 2						
Name of Additional Joint Inventor, if an	y:	A petition	n has been filed for this	unsigned inventor			
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Da-Yu ·	Chang .						
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Rajet	·	Agrawal					
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Name of Additional Joint Inventor, if ar	ny:	☐ A pe	tition I	has been filed for this	unsigne	d inventor
Given Name (first and middle (if any	Family Name or Surname					
Mark S.		Humayun, MJ	D., Ph.	D,		
Inventor's Signature					Darte	
Glendale	Celifornia State		USA Country		US Citizenship	
2757 Slaepy Hollow Place						
Mailing Address						
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Given Name (first and middle (if any)	Family Name or Surname					
James Singleton		Little				
Inventor's James Single In fil	tl_		_		2 - Date	28-2007
Saugus	California		- 1	JSA .		us
Residence: City 21674 Agajantan Lane	State			Country		Citizenship
Mailing Address						
Saugus	California			9135D	USA	
City	State			Zip	Coun	try
Name of Additional Joint inventor, if any	γ:	A peti	tion h	as been filed for this u	ınsigned	inventor
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Kevin		Wilkin				
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24690 Golfview Drive	•					
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a collection of Information unless it contains a velid OMB control number. Under the Paperwork Reduction Act of 1985, no persons are required to respon-ADDITIONAL INVENTOR(S) DECLARATION Supplemental Sheet Page. A petition has been filed for this unsigned inventor Name of Additional Joint Inventor, if any: Given Name (first and middle (if any)) Family Name or Surname Humayun, M.D., Ph.D. Merk S. inventor's Dete Signature California USA us Glendale State Country Citizenship Residence: City 2757 Slebpy Hollow Place Mailing Address Glendale California 91206 USA State City Country Name of Additional Joint Inventor, if any: A petition has been filed for this unsigned inventor Given Name (first and middle (if any)) Family Name or Surname James Singleton Little Inventor's Signature Date California LISA บร Residence: City State Country Citizenshio 21674 Agajanian Lane Mailing Address Saugus California A1350 USA City State Zip Country Name of Additional Joint Inventor, if any: A petition has been filed for this unsigned inventor Given Name (first and middle (if any)) Family Name or Surname Kevin inventor's 3-2-07 Signature-Date California USA US Residence: City State Country Citizenship 24690 Gottview Drive Mailing Address California 91355 ASU City State

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